



Tuesday, September 11, 2012

A Regular Meeting of the City Council was held in the Council Chamber, Pico Rivera City Hall, 6615 Passons Boulevard, Pico Rivera, California.

Mayor Archuleta called the meeting to order at 6:00 p.m. on behalf of the City Council.

**PRESENT:** Armenta, Camacho, Salcido, Tercero, Archuleta

**ABSENT:** None

**COMMISSIONERS PRESENT:**

Fred Zermeno, Planning Commission

Joseph Palombi, Parks & Recreation Commission

**INVOCATION:** Commissioner Palombi

**PLEDGE OF ALLEGIANCE:** Commissioner Zermeno

**SPECIAL PRESENTATIONS:**

- Centennial Celebration - County of Los Angeles Public Library proclamation received by Susan Baier, Regional Administrator, County of Los Angeles; Nora Chen, Manager, Rivera Library; and Beverly Walker, Friends of the Library

**CONSENT CALENDAR:**

**1. Minutes:**

- Approved City Council meeting of August 14, 2012

**2. Approved 4<sup>th</sup> Warrant Register of the 2012-2013 Fiscal Year. (700)**

Check Numbers: 253223-253459; 253462-253581

Special Checks Numbers: 253460-253461

**3. Conflict-of-Interest Code Biennial Review. (200)**

This item was pulled from the Consent Calendar for further discussion and clarification.

**4. Land Water Conservation Grant Application. (700)**

This item was pulled from the Consent Calendar for further discussion and clarification.

**5. Adopt Resolution Establishing a Health Reimbursement Arrangement (HRA) Plan for the Benefit of Retired Employees. (200)**

1. Adopted Resolution No. 6703 establishing a Health Reimbursement Arrangement plan for retired employees.

Resolution No. 6703 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ESTABLISHING A HEALTH REIMBURSEMENT ARRANGEMENT PLAN FOR THE BENEFIT OF RETIRED EMPLOYEES

**6. Treasurer's Report – June 30, 2012. (700)**

1. Received and filed Quarterly Treasurer's Report for the quarter ending June 30, 2012.

Motion by Councilmember Salcido, seconded by Councilmember Armenta to approve Consent Calendar items 1, 2, 5 and 6. Motion carries by the following roll call vote:

**AYES:** Armenta, Camacho, Salcido, Tercero, Archuleta

**NOES:** None

**CONSENT CALENDAR ITEMS PULLED:**

**3. Conflict-of-Interest Code Biennial Review. (200)**

Councilmember Tercero asked for clarification regarding Appendix B to the Conflict-of-Interest Code which refers to consultants.

City Manager Bates stated that under the regulation, if consultants are involved in the process whereby they might be able to influence any decision, the city is able to require that they comply with the Conflict-of-Interest resolutions as well which allows the city to cover all potential conflicts and require consultants to go through the proper reporting procedures. City Attorney Alvarez-Glasman added that consultants are often retained to assist and facilitate the decision making process by providing information to

staff. He stated that the consultants are mentioned in the list on Appendix B so that there is an abundance of transparency on the work that the consultant does and so that there are no concerns on the part of staff and City Council that the consultant themselves would have any potential economic interest in the outcome.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to rescinded Resolution No. 6565 and adopt Resolutions No. 6697, 6698, 6699, 6700, and 6701 amending the City of Pico Rivera's Conflict-of-Interest Code for the City Council, pursuant to the requirements of the State Political Reform Act. Motion carries by the following roll call vote:

Resolution No. 6697 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6565 AND ADOPTING A CONFLICT-OF-INTEREST CODE APPLICABLE TO THE MEMBERS OF THE CITY COUNCIL AND DESIGNATED CITY COMMISSIONERS AND EMPLOYEES BY INCORPORATING REGULATION 2, CALIFORNIA CODE OF REGULATIONS, SECTION 18730 THE STANDARDIZED CONFLICT-OF-INTEREST CODE

Resolution No. 6698 A RESOLUTION OF THE SUCCESSOR AGENCY TO THE PICO RIVERA REDEVELOPMENT AGENCY ADOPTING A CONFLICT-OF-INTEREST CODE APPLICABLE TO THE MEMBERS OF THE SUCCESSOR AGENCY AND DESIGNATED EMPLOYEES BY INCORPORATING REGULATION 2, CALIFORNIA CODE OF REGULATIONS, SECTION 18730 THE STANDARDIZED CONFLICT-OF-INTEREST CODE

Resolution No. 6699 A RESOLUTION OF THE HOUSING ASSISTANCE AGENCY OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6565 AND ADOPTING A CONFLICT-OF-INTEREST CODE APPLICABLE TO THE MEMBERS OF THE CITY COUNCIL AND DESIGNATED CITY COMMISSIONERS AND EMPLOYEES BY INCORPORATING REGULATION 2, CALIFORNIA CODE OF REGULATIONS, SECTION 18730 THE STANDARDIZED CONFLICT-OF-INTEREST CODE

Resolution No. 6700 A RESOLUTION OF THE WATER AUTHORITY OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6565 AND ADOPTING A CONFLICT-OF-INTEREST CODE APPLICABLE TO THE MEMBERS OF THE CITY COUNCIL AND DESIGNATED CITY COMMISSIONERS AND EMPLOYEES BY INCORPORATING REGULATION 2, CALIFORNIA CODE OF REGULATIONS, SECTION 18730 THE STANDARDIZED CONFLICT-OF-INTEREST CODE

Resolution No. 6701 A RESOLUTION OF THE PUBLIC FINANCING AUTHORITY OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6565 AND ADOPTING A CONFLICT-OF-INTEREST CODE APPLICABLE TO THE MEMBERS OF THE CITY COUNCIL AND DESIGNATED CITY COMMISSIONERS AND EMPLOYEES BY INCORPORATING REGULATION 2, CALIFORNIA CODE OF REGULATIONS, SECTION 18730 THE STANDARDIZED CONFLICT-OF-INTEREST CODE

**AYES:** Armenta, Camacho, Salcido, Tercero, Archuleta

**NOES:** None

**4. Land Water Conservation Grant Application. (700)**

Councilmember Tercero inquired about the \$200,000 that would be pledged from the Economic Development Administration Developer Funds.

City Manager Bates stated that it is a fund that has been available to the city as the Economic Development program and at the federal level was discontinued. This money, he stated, remained on the books for the city to expend on any project related to development in the city, and because it's available, this along with the grant if awarded, would allow the city to make additional improvements to Pico Park.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to: 1) adopt Resolution No. 6702 authorizing the submittal of an application for Land Water Grant Conservation grant funds for the renovation of Pico Park; and 2) Appropriate \$200,000 in Economic Development Administration (EDA) Developer Funds to the project, contingent upon grant award. Motion carries by the following roll call vote:

Resolution No. 6702 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND PICO PARK PROJECT

**AYES:** Armenta, Camacho, Salcido, Tercero, Archuleta

**NOES:** None

**1<sup>st</sup> PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY:**

Dr. Aurora Villon:

- Addressed the City Council regarding Item No. 7 parking restrictions on Kruse, Gangel and Park Drive and provided copies of a 2007 petition to City Council on this subject and a trucking company in a residential zone.

Mayor Archuleta stated that the City of Pico Rivera has put in a lot of time and effort in the issues brought up by the speaker and requested that staff provide the traffic study report.

**LEGISLATION:**

**7. Installation of Traffic Control Devices – Parking Restriction along South Side of Kruse Road, between Park Drive and Gangel Avenue. (1400)**

City Manager Bates stated that the city has spent considerable resources on looking at this issue. He stated that the city was able to use student interns to gather the data that will be presented this evening and hopes to put this issue to rest for at least a year or so.

Public Works Director Cervantes provided a brief report regarding restricted parking zones, property access, residential parking, parking for Streamland Park visitors and the design of the restricted zone. The traffic study, he stated, consists of a data collection phase wherein extensive field surveys were conducted. He stated that the field surveys consisted of 56 hours of continuous observation during a two week study period and that data was collected on weekdays and weekends. Only data pertinent to the concerns being expressed, he stated, were recorded such as number of trucks entering a driveway, number of cars parked in the street, or the number of parking spaces available. The second step, he stated, of the traffic study was the analysis. He stated that there were six areas of concentration selected due to their relationship to the questions and concerns expressed by the residents and business owner. Based on the

technical findings, he stated, here are the recommendations of the traffic study: first, that the restricted parking zone should remain in place because it benefits property access and it provides parking for residents and park visitors when parking demand is high on the streets; second, that there would be a reduction in the length of the restricted parking zone by 44 feet from 124 feet to 80 feet; third, that the signage be enhanced to increase visibility; and finally that the signage be changed to allow for unrestricted parking on the weekends.

Councilmembers Tercero and Camacho discussed the number of semi-trucks entering the business which during the study there was an observation of only two semi-trucks for a two week period and restrictions mentioned by previous speaker in regard to residential zoning.

City Manager Bates stated that the zoning goes with the land so if the land didn't change hands, the city would have limited ability to restrict the uses that are prescribed in the zoning code. Even if the land changes hands but the zoning hasn't been changed, he stated, the city would have limited abilities, and that although the zoning is residential, the property has been grandfathered based on past uses. He stated that only at the time that the property changes hand would the new zoning come into effect.

Councilmember Armenta stated that pertaining to the petition that was submitted in 2007, the complaints had to do with noise from Day & Night Towing. He suggested that staff revisit the zoning provisions when businesses leave the area.

City Attorney Alvarez-Glasman stated based on the situation that the city is currently facing, while it is a residential area and there is a non-residential use in that location, it is under legal terms a legal non-conforming use which means that it is there legally but it does not conform or comport to the existing zoning requirements. If that use should change, he stated, the city can mandate that whatever new use is going to be there meets the requirements of the current codes. He stated that would then require that it is switched over to residential. If there is a change in owner, he stated, the city probably does not have the ability to enforce that there be a change in the use because as indicated the use runs with the land.

Councilmember Salcido stated that the data being presented must be accurate and that the data shows that the parking issue with Pico Boys' is a non-issue most of the time.

Mayor Archuleta thanked staff for doing their due diligence.

Motion by Councilmember Salcido, seconded by Councilmember Armenta to approve the modifications to the restricted parking located across from 9357 Kruse Road, to reduce its length from 113 feet to 80 feet and enhance traffic signage currently designating the zone. Motion carries by the following roll call vote:

**AYES:** Armenta, Camacho, Salcido, Tercero, Archuleta

**NOES:** None

**NEW BUSINESS:**

In compliance with AB 1234, Councilmember Tercero reported on his attendance at the Annual California League of Cities in San Diego stating that the conference covered topics such as volunteers in the community, social media in cities and community pride and ownership. He requested that staff look into a potential ban on plastic bags in the city and report back to Council on their findings.

Mayor Archuleta stated that on the Ad Hoc Recycled Water Committee he would be replacing Councilmember Tercero with himself as Mr. Tercero has other commitments that prevent his involvement.

Councilmember Salcido commented on transients soliciting in shopping centers and scavengers going through recyclables in the city particularly in the area of Washington and Rosemead Boulevards and requested that staff and the Sheriff's Department enforce the city's municipal code in this regard. Mayor Archuleta asked that the street medians be monitored for soliciting as well.

**OLD BUSINESS:** None.

**2<sup>ND</sup> PERIOD OF PUBLIC COMMENTS – ALL OTHER CITY-RELATED BUSINESS:**

Julie Edwards:

- Addressed the City Council regarding providing handicap parking near 9075 Carron Drive.

Rachel Crook Ortiz, Vice President of the Pico Rivera International Lions Club:

- Addressed the City Council to invite residents, City Council and staff to a fundraising event sponsored by the Lions Club on October 14, 2012 at the A Mi Hacienda Restaurant from 10:00 a.m. to 5:00 p.m. The proceeds she

stated will be to benefit High School Scholarships and the preservation of vision and hearing for children and adults.

Maria Segovia, President of the Pico Rivera Chamber of Commerce:

- Addressed the City Council to announce the 1<sup>st</sup> Annual Pico Rivera Chamber of Commerce Week "Show Me Your Business" starting Monday, September 17 through Friday, September 21.

Rose Marie Joyce, Pico Rivera Rotary Club:

- Addressed the City Council regarding a Golf Tournament on October, 12, 2012 to fundraise for youth services, local communities and international projects.

**ADJOURNMENT:**

Mayor Archuleta adjourned the City Council meeting at 7:11 p.m. in memory of Genevieve Castro. There being no objection it was so ordered.

**AYES:** Armenta, Camacho, Salcido, Tercero, Archuleta

**NOES:** None

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Bob J. Archuleta, Mayor

**ATTEST:**

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Anna M. Jerome, Deputy City Clerk

I hereby certify that the foregoing is a true and correct report of the proceedings of the City Council regular meeting dated September 11, 2012 and approved by the City Council on September 25, 2012.

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Anna M. Jerome, Deputy City Clerk